

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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STEELCASE INC., a Michigan  
corporation,

Plaintiff,

v.

HARBIN'S, INC., an Alabama  
corporation, MICHAEL G. HARBIN,  
and HOPE D. HARBIN PATTERSON,

Defendants.

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Case No. 1:04CV0026

Honorable Robert Holmes Bell  
Chief, U.S. District Judge

**PLAINTIFF STEELCASE INC.'S BRIEF IN SUPPORT OF**  
**MOTION FOR LEAVE TO FILE REPLY BRIEF**  
**IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S**  
**CLAIM OF PIERCING THE CORPORATE VEIL**

On July 13, 2005 plaintiff Steelcase Inc. filed electronically with this Court its Reply Brief in Support of its Motion for Summary Judgment on Plaintiff's Claim of Piercing the Corporate Veil (Document Number 157).

At the time of that electronic filing, plaintiff's counsel inadvertently neglected to realize that the reply brief was filed 15 days after the brief of defendant to which it responded. Accordingly, it was one day late under Local Rule 7.2(c) which requires reply briefs to be filed within 14 days. Had plaintiff's counsel been aware of the late filing on July 13<sup>th</sup>, he would have then filed a motion for leave to file the reply brief at that time. Plaintiff's counsel was unaware of the late filing until receiving defendant's motion to strike the brief dated July 19, 2005. (Defendant's counsel had not previously discussed the motion as required by Local Rule 7.1(d).)

Plaintiff believes that the argument and authority set forth in the reply brief will be helpful to the Court in deciding the cross-motions now before it. Pursuant to the authority of Local Rule 7.2(c), the Court has discretion to permit the filing of additional briefs even beyond the reply brief.

Plaintiff is unaware of any prejudice to either the Court or the defendant arising from the fact that the brief was one day late. Accordingly, plaintiff requests the Court to exercise its discretion and to enter its order allowing the filing of the reply brief.

Respectfully submitted,

MILLER JOHNSON  
Attorneys for Plaintiff, Steelcase Inc.

Dated: July 20, 2005

By /s/ Jon G. March  
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